Development Engineering Advisory Board Meeting
October 1, 2009
2:30 – 4:30 p.m.
Public Service Center
6th Floor Training Room

In attendance: Board members – Mike Bomar, Eric Golemo, Greg Jellison, Jerry Nutter, Steve Wall; County staff – Ginger Blair, Pete Capell, Tom Grange, Kevin Gray, Carolyn Heniges, Ali Safayi, Sue Stepan

DEAB members not in attendance: John Graves, Tim Schauer

Visitors: Jan Bazala, David Bottamini, Mike Butts, Norm Harker, Heath Henderson, Steve Schulte, Marty Snell, Rod Swanson, Ron Wierenga

Administrative Actions
- Nutter started the meeting with introductions of the audience and board members.
- The September 3 meeting minutes were adopted without edits.
- The Parking Lot was reviewed; there are currently no items on the list.
- There were no new correspondences to review.
- The group reviewed the upcoming events as shown on the agenda.

Subcommittee Update
A. Development Engineering Process Subcommittee (Chair – Schauer)
  - No report. Subcommittee has not formed.
B. Community Development Processes (Chair – Bomar)
  - The subcommittee met on September 15.
  - Prior to the subcommittee meeting, Bomar met with Marty Snell to discuss what Community Development would like the subcommittee to focus on.
  - The group decided to focus on Title 40, coordination between Community Development, Development Engineering, and the new Environmental Services Department, and the move toward hourly billing.
  - James Howsley will lead discussions on the preapplication process and post decision reviews.
  - Next meeting is October 20.
C. Engineering issues with Clark County Code (Chair – Golemo)
  - The group met on September 22 to review and discuss the proposed biannual code changes.
  - Golemo presented the subcommittee's findings and proposals later in the meeting, during the biannual code discussion.
  - The next meeting has not been scheduled.

Trip Carryover Policy Recommendation
Steve Schulte addressed the group and informed them that a subcommittee group met on September 16 to discuss this topic. The subcommittee originally scheduled two meetings, but consensus was reached quickly and the second meeting was not needed. The subcommittee was a mix of county staff and members of the development community and they created the policy Schulte is recommending today.

Schulte distributed and referred to a memorandum dated September 23, 2009, regarding Trip "Carry Over" Rules for Concurrency and TIF.

The memorandum summarizes the recommended rules governing the extent to which past or existing site trips can be carried over and used as an offset or credit to future site trip generation. These rules would be applicable to both transportation Concurrency and Traffic Impact Fee (TIF) calculations.

Schulte discussed the proposals in the memorandum with the group:
- The policy is applicable to both TIF and concurrency calculations.
- If a building is standing and legally habitable then trips carryover to a future site use and can be credited against future site trip generation.
- If the building is standing and habitable, but is currently an illegal or non-confirming use, the trip amount that can be carried over will be from the most recent legal use of the structure and site.
- If the building is not habitable, or has been demolished, than secondary rule #2 of the memorandum applies and credible evidence of previous use will be required.
- The county will work with developers to determine what credible evidence can be found.

A motion was made to approve the proposed Trip "Carry Over" Rules for Concurrency and TIF. DEAB members voted and approved the proposal as written in the September 23, 2009 memorandum.

Final Engineering Review Process
Kevin Gray addressed the group, referring to the September meeting when the DEAB discussed the need to understand the value of the final engineering review process.

Gray led the group through a presentation, explaining the purpose of the review:
1. Protect health and safety. The public expects the county to ensure health and safety. When things go wrong the county is usually named a party and is held responsible for protecting the public's safety.
2. Ensure compliance with laws. For example, a road design might meet engineering standards but not meet classification or local laws and regulations. The review helps ensure that all conditions of land use approval are met.
3. Minimize financial impacts to citizens, present and future. A plan review before construction can catch mistakes in both private and public developments that could lead to failures and liability issues later. An example is an incorrect infiltration rate in a stormwater design resulting in a failed system. Additionally, whether a stormwater facility is public or private, the county is legally obligated to make sure they are functional because of where they ultimately discharge.
4. Prevent adverse impacts to neighboring properties. The public expects the county to prevent development from flooding out neighbors or directing an inappropriate amount of traffic to their area.
5. Preserving right of way and maximizing use for utilities. A review allows the county to determine if a private design will also allow for other purposes such as utilities.

Tom Grange addressed the group to present the goals for final engineering review:
1. Meet timelines. The county understands that time is critical for developers.
2. Consistency between reviews and reviewers. The county understands that applicants do not like surprises and want to know what will be expected on a set of plans.
3. Reviews based on code and standards. Final engineering reviews are not based on personal opinion or preference, but are based on the code, design standards, and applicable laws.

4. Engineering judgment calls are the responsibility of the stamping engineer.
5. Focus on critical issues. As the county does the reviews with less time and less money, the focus is on critical issues.
6. Clarify codes and standards. There are always situations where there are questions regarding the interpretation of code and standards; the county wants to offer clarification.

Grange also presented the tools that are used to achieve these goals:
- Timeline tracker. A spreadsheet tracker is used to monitor when projects come in and out, project deadlines, and review status. This allows Development Engineering staff to determine deadlines and to plan accordingly.
- Plan review checklist. A checklist to help reviewers perform in a quick, organized, and consistent manner. Grange provided the group with a draft version of the checklist.
- Code references and conditions of approval. The reviewer refers to the conditions of approval in the land use decision and the narrative or notations the applicant provides in their application that describes how each conditions is addressed in the plans.
- Differentiate between requirements and preferences.
- Notify design engineer of concerns, leave the responsibility to the design engineer. The county wants review staff to communicate any issues that cause them concern. However, the county also recognizes that there are things that can be left up to the design engineer for them to take responsibility.

Grange concluded with an update on the status of engineering plan review process.
- Pre-submittal checklist. The pre-submittal checklist required to be completed by the submitting engineer helps ensure consistency in what is submitted for review.
- Timeline Tracker. The tracker produces status reports that are shared with staff.
- QA/QC of most staff reports. Staff reports are being reviewed by a second person.
- Plan review checklist is used. A version of the draft checklist presented at this meeting is in use.

Grange invited the group to review the draft plan review checklist and forward any comments.

The DEAB added the plan review checklist as an agenda item for the November meeting so any recommendations can be discussed.

Additionally, DEAB added the issue of whether a final engineering review is needed on the November meeting agenda so that DEAB can make a formal recommendation to the Board of County Commissioners.

Biannual Code Requirements
Golemo addressed the group and presented recommendations from his subcommittee regarding the proposed biannual code changes. Recommendations were based on language as shown in the draft document titled "Hearing Attachment A", received from Development Services on September 17, 2009.

1. **Table 6.110A.010 – Simplify habitat and wetland conservation covenant change fees.** The subcommittee recommended that DEAB not make a formal recommendation on this item, but to encourage staff and commissioners to explore possible efficiencies prior to further raising fees. DEAB discussed the item and determined that it is not a development engineering issue. DEAB agreed with the recommendation as worded.
2. **Amend 10.02.020 and create a new section 10.02.025 – Authorize the Public Works director to designate "no parking" zones of up to 250 feet.** The subcommittee

recommended that DEAB support this change. DEAB discussed the item and agreed to the recommendation as worded.

5. **40.350.020.F – Require subdivision traffic concurrency conditions to be fulfilled either prior to final plat, or prior to a certain "triggering" number of homes, instead of prior to occupancy of the first home.** The subcommittee recommended not to support the proposed change as it is written. Jan Bazala and Steve Schulte provided revised language that is to be included in the packet submitted for the Planning Commission hearing. DEAB members reviewed the revised language and agreed to support the changes if language is added regarding model home permits.

6. **40.510.010.D.1, 40.520.020.G.1, and 40.520.030.G.1 – Clarify that application fees are vested at the time of a fully complete application, not at counter complete application.** The subcommittee recommended not supporting this proposed change, instead supporting vesting at counter complete. DEAB members discussed the item and agreed to the recommendation as worded.

7. **40.510.020.A and 40.10.030.A – Eliminate free second pre-applications.** The subcommittee recommended supporting the proposed change to charge for a second pre-application, and proposes a fee of half of what the first pre-application costs. DEAB members discussed the item and agreed to support the item with the following language: "The DEAB supports the recommended proposal that second pre-applications are charged one-half of the original pre-application conference fees. The DEAB also recommends extending the expiration date of the first pre-application to two years instead of one as long as no significant regulations affect the feasibility of the application."

9. **Table 40.510.050-1 and 40.570.080.C.3.k – Either: Require that archaeological predetermination (when required) are reviewed, not just received, by the State Department of Archaeology and Historic Preservation (DAHP) prior to an application being determined fully complete; OR remove the requirement to submit archaeological pre-determinations to the county entirely.** The subcommittee recommended opposing the proposal as written. Jan Bazala informed the group that the item was being removed from biannual code change proposal. DEAB members supported the removal of the item.

23 – 30. **Stormwater Amendments addressing: Recommended changes from the Department of Ecology, Ease of Implementation for less impactive projects, and Policy changes to raise thresholds in the rural area.** The subcommittee recommended supporting the proposed changes. DEAB members agreed to the recommendation as worded.

A revised letter will be drafted, emailed to DEAB members for approval, and then submitted to the Planning Commission for the October 15 hearing.

Public Comment Period
There were no additional comments at this time.

Meeting Minutes Prepared by: Ginger Blair
Reviewed by: Sue Stepan
Board Adopted: __November 5, 2009_____

Development Engineering Advisory Board - Parking Lot Items					
#	PRIORITY*	SUBJECT	DATE REQUESTED	ORIGINATOR	ACTION
1.		Concurrency – Reconsider policy relating to multiple developers required to do same improvement (first in responsible for full cost of improvement if no cost-sharing developers agreement.)	10-1-2009	DEAB	
* Priorities: 1 = High/Important, 2 = Average, 3 = Low/long-term goal					